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FACSIMILE TRANSMISSION

NUMBER OF PAGES WITH COVER PAGE: 12

DATE: August 2, 2004 **TIME:** 3:17 PM **C/M No.:** 036400.0801
FROM: Timothy M. Morella **PHONE:** (312) 269-5676 **FAX:** (312) 269-1747
RE: Application No. 10/637,161
Response to Office Action; Terminal Disclaimer; Fee Transmittal

TO:

NAME:	FAX NO.:	PHONE NO.:
Commissioner for Patents	703/872-9326	

MESSAGE:

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**110.00****Complete if Known**

Application Number	10/637,161
Filing Date	August 8, 2003
First Named Inventor	Herb Poplawski
Examiner Name	T. Lewis
Art Unit	3681
Attorney Docket No.	36400.35US2

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account
 Deposit
Account
Number
Deposit
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502,261

Neal, Gerber & Eisenberg, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 280	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 150	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) **Terminal Disclaimer**

110.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**110.00****SUBMITTED BY**Name (Print/Type) **Timothy M. Morella**Registration No. (Attorney/Agent) **45,277**

(Complete if applicable)

Telephone **312-269-8000**

Signature

Date

02 Aug 04

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AUG 02 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Poplawski *et al.*

Serial No.: 10/637,161

Filed: 08 August 2003

Title: HYDROSTATIC TRANSMISSION

Attorney Ref. No.: 36400.35US2

Examiner: T. Lewis

Art Unit: 3681

RESPONSE TO OFFICE ACTION

Commissioner of Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The Office Action dated 19 May 2004 has been received and its contents carefully noted. The shortened statutory period for reply expires on 19 August 2004. Accordingly, Applicants believe no fee is required for filing this Response.

Applicant makes the following Amendments and Remarks in response to the outstanding Office Action: